

VILLAGE OF ANGEL FIRE
RESOLUTION No. 2017-13
OPPOSING CS\HB-174 LOCAL ELECTION ACT

WHEREAS: Since the adoption of the Municipal Election Code municipal clerks have been responsible for administering municipal elections and county clerks have been responsible for all other state and local elections; and

WHEREAS: The Municipal Election Code has been amended from time-to time to address the non-partisan components that are unique to municipal elections and that are not addressed in the state election code nor included in CS\HB-174; and

WHEREAS: CS\HB-174 adopts provisions that are inconsistent with various provisions of duly adopted charters in home rule and territorial charter municipalities; and

WHEREAS: Article IV, Section 24 of the New Mexico Constitution expressly prohibits the legislature from passing special laws "changing or amending the charter of any city, town or village; and

WHEREAS: Art. X section 6(E) of the New Mexico Constitution provides that the purpose of Home Rule "is to provide for maximum local self-government"; and

WHEREAS: CS\HB-174 would set a new time for conducting all municipal elections, would create a new procedure for declaring candidacy for office and for consolidating precincts, and would create a new procedure for conducting the municipal election; and

WHEREAS: Article IV, Section 24 of the New Mexico Constitution expressly prohibits the legislature from passing special laws concerning "the opening or conducting of any election or designating the place of voting";

WHEREAS: CS\HB-174 would not guarantee that the locations for filing declarations of candidacy and polling places for municipal elections would be located within the municipality; and

WHEREAS: CS\HB-174 would combine municipal elections with school districts, special hospital districts, community college districts, technical and vocational institute districts, learning center districts, arroyo flood control districts, special zoning districts, soil and water conservation districts, and water and sanitation districts resulting in long and confusing ballots; and

WHEREAS: CS\HB-174 provides that special elections not held concurrently with a general election shall be conducted by mail with the added requirement that every registered voter receive a ballot regardless

1 of whether the voter has requested an absentee ballot, resulting in
2 significantly higher costs for conducting municipal special elections.
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4 **THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
5 **Village of Angel Fire .**
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7 That the Governing Body stands in firm opposition to CS\HB-174 as it is currently
8 written; and
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10 **BE IT FURTHER RESOLVED:**
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12 That the Governing Body supports any amendment that exempts municipal
13 governments from the provisions of The Local Election Act as provided for in
14 CS\HB-174 as it is currently written; and
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16 **BE IT FURTHER RESOLVED:**
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18 That the Governing Body urges members of the Legislature to vote against
19 adoption of CS\HB-174 if the Act extends to municipal elections or repeals the
20 Municipal Election Code; and
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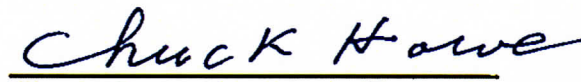
22 **BE IT FURTHER RESOLVED:**
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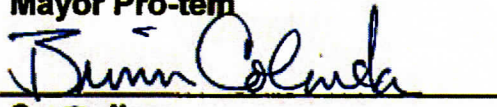
24 That the Governing Body urges the Honorable Susana Martinez, to veto the
25 Local Election Act (csHB-174) if the Act extends to municipal elections
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27 **ADOPTED THIS 28th DAY OF February, 2017**
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31 **Mayor**

32 2/28/2017
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34 **Date**

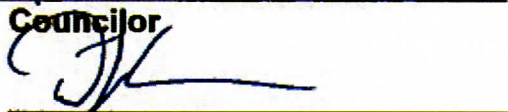
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38 **Mayor Pro-tem**

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41 **Councilor**

42 **ATTEST:**
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46 **Terry Cordova, Village Clerk**
47 **[S E A L]**

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50 **Councilor**

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53 **Councilor**